

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN BROADCASTING COS., INC.,
DISNEY ENTERPRISES, INC., CBS
BROADCASTING, INC., CBS STUDIOS
INC., NBCUNIVERSAL MEDIA, LLC, NBC
STUDIOS, LLC, UNIVERSAL NETWORK
TELEVISION, LLC, TELEMUNDO
NETWORK GROUP LLC, and WNJU-TV
BROADCASTING LLC,

Plaintiffs/Counterclaim Defendants,
v.

AEREO, INC.,

Defendant/Counterclaim Plaintiff.

Civil Action No. 12-CV-1540 (AJN) (HBP)

WNET, THIRTEEN, FOX TELEVISION
STATIONS, INC., TWENTIETH CENTURY
FOX FILM CORPORATION, WPIX, INC.,
UNIVISION TELEVISION GROUP, INC.,
THE UNIVISION NETWORK LIMITED
PARTNERSHIP, and PUBLIC
BROADCASTING SERVICE,

Plaintiffs/Counterclaim Defendants,
v.

AEREO, INC.,

Defendant/Counterclaim Plaintiff.

Civil Action No. 12-CV-1543 (AJN) (HBP)

**DEFENDANT AEREO, INC.'S NOTICE OF MOTION AND MOTION FOR
LEAVE TO FILE SUPPLEMENTAL EVIDENCE IN SUPPORT OF ITS OPPOSITION
TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE that Defendant, Aereo Inc. ("Aereo") hereby moves this Court
before the Honorable Allison J. Nathan, United States District Judge, at the Thurgood Marshall
United States Courthouse for the Southern District of New York, 40 Foley Square, New York,

New York 10007, for leave to file the accompanying letter from Seth D. Greenstein to Ms. Marlene Dortch, Secretary, Federal Communications Commission, dated October 10, 2014, as supplemental evidence in support of its Opposition to Plaintiffs' Motion for Preliminary Injunction. The letter is a disclosure that relates to the Federal Communications Commission's consideration of including systems (such as Aereo) that provide, over the Internet, linear channels of broadcast video programming for purchase by subscribers in the definition of "Multichannel Video Programming Distributors." Aereo submitted the letter for the public record, pursuant to the requirements of 47 C.F.R. § 1.1206, in the matter of *Interpretation of the Terms "Multichannel Video Programming Distributor" and "Channel,"* MB Docket No. 12-83, and it is available online at <http://apps.fcc.gov/ecfs/document/view?id=60000972464>. Aereo seeks to refer to the letter at the hearing scheduled for October 15, 2014.

Dated: October 14, 2014

/s/ R. David Hosp
R. David Hosp (RH 3344)
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CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2014, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ R. David Hosp

R. David Hosp